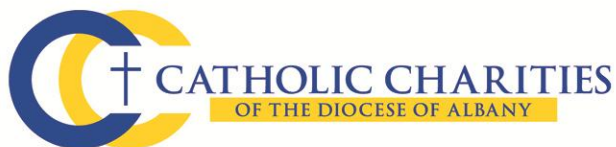


**CORPORATE
COMPLIANCE
PLAN**

REVISED 03/28/12



VINCENT W. COLONNO
CHIEF EXECUTIVE OFFICER

TO: Members of Catholic Charities of the Diocese of Albany
FROM: Paul T. Stec & Vincent W. Colonno
RE: Revised Corporate Compliance Plan

The Board of Trustees of Catholic Charities of the Diocese of Albany and Vincent W. Colonno, CEO, are dedicated and committed to meeting high ethical standards and compliance with all applicable laws in all programs and services provided by our agencies. Compliance and ethical practices are fundamental to the Catholic Charities mission with regard to how we provide services to the many people we serve. Therefore it is our pleasure to distribute the revised system wide Corporate Compliance Plan.

The Corporate Compliance Plan is an important document that identifies the eight elements of our Corporate Compliance Program and the expectations placed upon each of us as members of the Board of Trustees, local Agency Boards of Directors, and employees of Catholic Charities.

Upon the receipt and review of the Corporate Compliance Plan, kindly sign the acknowledgement in the back and return it to your supervisor or Agency Executive Director. If after reading through the plan you have questions, you may address them to your supervisor, Agency Executive Director, or to Aaron Howland, Corporate Compliance Officer. Aaron can be reached at 518-463-1875 or at Aaron.Howland@rcda.org.

A handwritten signature in black ink that reads 'Paul T. Stec'.

Paul T. Stec
President, Board of Trustees

A handwritten signature in black ink that reads 'Vincent W. Colonno'.

Vincent W. Colonno
Chief Executive Officer

Corporate Compliance Plan

*Approved by the Board of Trustees of Catholic Charities
03/28/2012*

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Compliance related requests or reports of concerns can be made to:

Corporate Compliance Officer:

Aaron Howland

Phone: 518-463-1875

Email: Aaron.Howland@rcda.org

Ethics Help Line Number:

1-866-662-1875

On the web:

<http://fluidsurveys.com/surveys/CCDA/catholic-charities-ethics-help-line/>

Chief Executive Officer (CEO):

Vincent W. Colonna

Phone: 518-453-6650

Our Mission

The mission of Catholic Charities is the foundation of the Corporate Compliance Plan.

Our Mission Statement

Catholic Charities, a ministry of the Diocese of Albany, is committed to active witness on behalf of the Scriptural values of mercy and justice.

Catholic Charities recognizes human need at all stages of life, responds to all persons regardless of race, creed or lifestyle, with special emphasis on the economically poor and vulnerable.

Catholic Charities serves and empowers persons in need, advocates for a just society, calls forth and collaborates with women and men of good will in fulfillment of its mission.

Principles and Values

The Church's social teaching is a rich treasure of wisdom about building a just society and living lives of holiness amidst the challenges of modern society. Catholic Charities' principles and values, outlined below, are rooted in these teachings.

Principles

Human Dignity: Catholic Charities affirms that each person is made in the image of God and has inherent dignity. Each person must be respected from conception to natural death. Each person is endowed with rights and duties. Catholic Charities affirms that each person served and engaged with our work will be held in great esteem and with great respect.

Common Good: Catholic Charities affirms that there is a universal destination of all created things that all persons have the right to access all that they need in order to reach their fulfillment and that all persons have the concurrent obligation to work for the rights of others as well.

Subsidiarity: Catholic Charities affirms that decisions should be made at the lowest possible level, should involve those who are capable of participation in decision-making and who will be impacted by those decisions, and should empower those who are most in need. Concurrently, we commit to creating and renewing structures and institutions that provide assistance and aid, as required, appropriate and necessary. Catholic Charities, as members of the civic society, affirms that we should actively participate in the public discourse at both the national and local community level, seeking justice for all, but especially for those who have no voice of their own. We affirm that we should both advocate and serve, advocating both for individuals and for just social structures.

Solidarity with the Poor: Catholic Charities affirms that the most poor and vulnerable persons and families have a special claim to our services and programs. Catholic Charities affirms that our staff and boards should engage those served to have representative voice in decisions impacting policies and programs. Accordingly, we affirm the need to create structures and processes for obtaining appropriate input from stakeholders. Catholic Charities commits ourselves to continue to be a voice with poor and vulnerable individuals and families in the public discourse.

Fundamental Values

Truth: Catholic Charities affirms that transparency and accountability will always be pursued in our communication and work. Catholic Charities affirms the truth of the intrinsic dignity and worth of the human person as a social being and will witness to our Catholic identity in fulfilling our roles in Church and in society.

Freedom: Catholic Charities affirms that we will always assist our clients, staff and volunteers to live in socially responsible freedom, to exercise their authentic autonomy in light of objective truth and to actualize their inherent potential as beings created in the image and likeness of God. Catholic Charities will respect and affirm the autonomy of each organization/entity with whom we are in relationship.

Justice: Catholic Charities affirms that it is a matter of justice that all clients have the right to self-actualization and to reach their potential as beings created in the image and likeness of God. Catholic Charities affirms that we will work to achieve greater justice in our communities through our social policy advocacy efforts – locally, nationally and internationally. Catholic Charities affirms that all contracts and agreements and all relationships with stakeholders will be based on norms of justice. Catholic Charities affirms that we will work to expand and maintain diversity and excellence in our membership, board, leadership positions and staff. Catholic Charities affirms that we will continue to work to help eradicate racism and prejudice within our own organizations and in society at large.

Love: Catholic Charities affirms that love – caritas – will be the chief identifying characteristic and element of our work and life.

Introduction

The Board of Trustees and the CEO are dedicated and committed to meeting high ethical standards and compliance with all applicable laws in all programs and services provided by our agencies. A Corporate Compliance Plan has been established to assure that Catholic Charities of the Diocese of Albany's (CCDA) programs and services are being conducted in compliance with applicable laws, regulations, contracts and the highest ethical standards. The Plan contains the eight elements required by NYS regulation and is intended to create an organizational culture that is transparent and promotes prevention, detection and

resolution of instances of conduct that may not conform to: 1) our mission and values; 2) standards of ethical conduct; 3) federal, state and local laws; and 4) federal, state and private health care funded program requirements, such as Medicaid and Medicare. As detailed with this Plan, it is the duty of CCDA employees to comply with the codes of ethical conduct and compliance standards applicable to their individual areas of employment and assignment.

If, at any time, an employee becomes aware of any apparent violation of this plan which includes CCDA's standards, he or she has the responsibility to report such violations in accordance with the reporting requirements of this plan. Persons making such reports are assured that these reports will be treated as confidential to the extent permissible and that such reports will be shared only on a need-to-know basis. CCDA will take no adverse action against persons making such reports in good faith and without malicious intent, whether or not the report ultimately proves to be founded. If an employee does not report conduct violating the CCDA's standards, the employee may be subject to disciplinary action as outlined in the CCDA's Employee Handbook. When an employee has a question regarding the legality or propriety of a course of action, the employee should seek guidance from his or her supervisor or from the Corporate Compliance Officer before taking any action.

Benefits of a Compliance Program

An effective Corporate Compliance Program helps to ensure the integrity of programs and services and minimizes risks to programs and services, and most importantly, to clients served.

Benefits of an effective Corporate Compliance Program include but are not limited to the ability:

- To provide a framework for educating staff regarding the link between our mission and values and regulatory compliance;
- To provide programs and services in compliance with state and federal laws and consistent with the highest standards of business and professional ethics;
- To identify systems that are working well with the possibility of replicating those systems in other agencies throughout our system as well as to find and correct organizational weakness;
- To implement and document changes as proof of effectiveness;

- To communicate to employees CCDA's commitment to quality service, and a willingness to hear employee concerns;
- To promote ethical conduct;
- To promote a willingness to work collaboratively with auditors.

- False cost reports;
- Billing for supports or services with inadequate supporting documentation;
- Disclosing protected healthcare information;
- Solicitation or receipt of remuneration for referrals.

The Eight Elements of the Corporate Compliance Program

- I. Corporate Compliance Written Standards and Procedures
- II. Corporate Compliance Program Oversight and Oversight Authority
- III. Training and Education
- IV. Ethics Help Line
- V. Annual Work Plan, Auditing and Monitoring
- VI. Responding to Non-Compliance and Developing a Corrective Action Plan
- VII. Whistleblower Provisions and Protection
- VIII. Enforcement of Compliance Standards

I. Corporate Compliance Written Standards and Procedures

There are numerous federal and state laws and regulations defined for programs operating within CCDA. Where relevant, CCDA has developed standards and procedures to operationalize funding and program requirements. CCDA will continue to revise and/or develop standards and procedures as regulatory requirements change. These standards and procedures promote our commitment to delivering the quality of service that is expected from Catholic Charities.

Federal and state statutes (e.g. Title 18, Part 521) illustrate actions that pose a particular risk to human service organizations. Risk areas include but are not limited to:

- Billing and receiving reimbursement for items, supports or services not actually rendered;
- Providing and keeping reimbursement for unnecessary supports or services;
- Duplicate billing and receiving more reimbursement than is due;

Catholic Charities is committed to ensuring that billing practices, documentation and service delivery comply with federal and state laws and regulations.

II. Corporate Compliance Program Oversight and Oversight Authority

The Corporate Compliance Program consists of the Board of Trustees Corporate Compliance Committee, the Corporate Compliance Officer and the Corporate Compliance Management Committee.

Board of Trustees: The Board of Trustees (BOT) authorized the development and implementation of an effective Corporate Compliance Program at CCDA. The BOT has appointed the Executive Committee to function as the Corporate Compliance Committee of the BOT. The BOT Corporate Compliance Committee is responsible for approving and overseeing the Corporate Compliance Plan, the Code of Conduct and the Annual Work Plan, along with ensuring that CCDA has an effective Corporate Compliance Program. The BOT Corporate Compliance Committee has a direct line of communication with the Corporate Compliance Officer (CCO) and will be kept informed of compliance-related issues through, minimally, a semi-annual report and as needed from the CCO or CEO.

Corporate Compliance Officer (CCO): The CCO reports to the CEO and to the BOT Corporate Compliance Committee. The CCO duties and responsibilities include but are not limited to the following:

- Develops and implements an annual Corporate Compliance Work Plan in cooperation with the CEO, CFO and the Corporate Compliance Management Committee to be approved by the BOT Corporate Compliance Committee;
- In cooperation with the CEO and Executive Directors creates a culture that encourages reporting of suspected fraud or other improprieties without fear of retaliation;
- Implements Corporate Compliance related standards and procedures as deemed necessary in conjunction with the CEO, CFO, and the Director for Human Resources;

- Reports on a regular basis to the CEO, the Board of Trustees Corporate Compliance Committee and the Corporate Compliance Management Committee regarding Corporate Compliance issues and risk areas;
- Maintains a reporting system (Ethics Help Line) and responds to concerns, complaints and questions regarding Corporate Compliance;
- Oversees compliance related investigations;
- Oversees systems that ensure sanction screening processes are completed in accordance with system-wide standards and procedures;
- Develops, coordinates and participates in multifaceted educational and training programs that focus on the elements of compliance and seeks to ensure that appropriate employees, contractors and management are knowledgeable and comply with pertinent federal and state standards;
- Develops recommendations for corrective actions and when indicated supports local agencies in implementing corrective actions;
- Synthesizes and communicates ongoing regulatory changes from state and federal regulators, including OMIG;
- Oversees systems that monitor critical incidents and program audit findings throughout the system.

Aaron Howland is the Corporate Compliance Officer, and can be reached at 518-463-1875 or by email at aaron.howland@rcda.org.

Corporate Compliance Management Committee:

The CCO is the Chair of the Corporate Compliance Management Committee. The Corporate Compliance Management Committee consists of senior level management from different CCDA agencies representing the diversity of services provided along with members of the system-wide Fiscal and HR Departments.

The committee is responsible for:

- Reviewing and recommending Corporate Compliance documents and processes such as the Annual Work Plan, Code of Conduct and other written materials related to Corporate Compliance;
- Developing materials and processes for training existing and new employees;
- Reviewing Corporate Compliance trends;
- Recommending and monitoring the development of internal systems and controls to ensure compliance.

III. Training and Education:

Staff, members of the Board of Trustees and the Local Agency Boards of Directors are required to participate in training regarding compliance, fraud, abuse, whistleblower protections, ethical standards, HIPAA, confidentiality and conflicts of interest. Staff shall attend an initial training session following hire. Initial training for BOT and Local Agency Boards shall be done as part of their orientation process. Staff, BOT and Local Agency Board members shall also participate in the annual Corporate Compliance Training update. As new developments or concerns arise, the CCO may require additional training sessions for some or all individuals. This specialized training may focus on areas that have been determined to pose a high risk of misconduct or error.

Compliance training shall be documented. The CCO maintains such documentation signed by staff. Staff and Board members shall also sign an acknowledgement form upon receiving the Corporate Compliance Plan and Code of Conduct at initial training, and when any updates of those documents are received.

As part of ongoing training and education, the Corporate Compliance Management Committee will periodically assess the effectiveness of the Corporate Compliance Program and make necessary adjustments when needed.

IV. Ethics Help Line

CCDA strives for an environment where staff can openly communicate questions or concerns to their supervisor or the Agency Executive Director. If these options are not available for any reason, the toll-free Ethics Help Line is also available to voice concerns about potential unethical, illegal and unsafe actions. All CCDA employees have the responsibility to report concerns. The Corporate Compliance Officer (CCO) follows up with calls to the Ethics Help Line. Individuals may also communicate concerns to the CCO in writing, through e-mail, or by asking to meet in person. It is not the responsibility of the reporter to determine if the reported concern constitutes an occurrence of potentially unethical, illegal and/or unsafe behavior. CCDA will take no adverse action against persons making such reports in good faith.

Reports will be treated confidentially to the extent possible and such reports will be shared only on a need-to-know basis. If an employee is aware of a concern regarding potential unethical, illegal and/or unsafe action and does not report their concern, the employee may be

subject to disciplinary action up to and including termination as outlined in the Employee Handbook.

**The Ethics Help Line Number is:
1-866-662-1875**

or

<http://fluidsurveys.com/surveys/CCDA/catholic-charities-ethics-help-line/>

V. Annual Work Plan, Auditing and Monitoring

Annual Work Plan: The Corporate Compliance Program is committed to an ongoing assessment of program compliance across all agencies. The results of the assessments are the basis for the development of the Annual Corporate Compliance Work Plan. The plan outlines Corporate Compliance projects for the upcoming year. These projects might include but are not limited to the following:

- Internal program and/or fiscal audits
- Re-reviews of areas with previous compliance concerns
- Planned training activities

The Continuous Quality Improvement and Corporate Compliance Department (CQI/CC Department) in cooperation with the Corporate Compliance Management Committee develops the work plan and monitors the progress of the plan. The BOT Corporate Compliance Committee is responsible for approving the Annual Work Plan and will receive periodic progress updates.

Audits: CCDA will perform internal audits in order to identify and promptly rectify potential non-compliance and quality issues. The Corporate Compliance Annual Work Plan outlines program and/or fiscal audits for the system of CCDA. These audits will be completed by staff of the CQI/CC Department in cooperation with agency staff. In addition, it is recommended that each agency perform their own audits regarding compliance and that the results be shared with the CQI/CC Department. CCDA audits include periodic audits of records to ensure that billing, claims processing, and reimbursement procedure and practices, as well as documentation related to service delivery, adhere to federal and state regulations and to CCDA's Standards and Procedures. These records serve as the measurement for fulfilling our obligations to the people we support, our staff, and governing agencies. They are the basis for managing the organization and insuring that the organization is operating within the mandates of the governing bodies that oversee agency operations.

In addition to internal audits annual fiscal audits will be conducted by an external audit firm.

VI. Responding to Non-Compliance and Developing a Corrective Action Plan

When a concern is brought to the Corporate Compliance Officer (CCO), he/she will research the concern, and if necessary, conduct or oversee an investigation. As needed, the CCO will confer with the Agency Executive Director, CEO, CFO, and/or legal counsel. If the CCO determines, after an investigation, that non-compliance conduct has occurred, the corrective action and, if necessary, disciplinary steps will be outlined. After the investigation, the CCO will prepare a written report of findings including the corrective action plan which will be shared with the CEO, the Agency Executive Director and the Corporate Compliance Committee of the BOT.

In the event an internal or external audit or investigation discovers a departure from legal, regulatory, or ethical standards or shows quality concerns, the report will recommend appropriate corrective action, including revision of internal control mechanisms and procedures. It is the responsibility of agency management to ensure that the appropriate corrective action plan is implemented and resolves the issues identified and that the results be shared with the CQI/CC Department in a timely manner. The department will follow-up as needed with regard to the implementation of the corrective action. This may include conducting follow-up reviews.

In any situation where the investigation results show reasonable grounds of a violation of law or contract requirements, CCDA will promptly report the existence of misconduct or non-compliance to government authorities, in accordance with any applicable requirements. The Standard and Procedure regarding OMIG Self-Disclosure further addresses required actions in the event that an investigation determines that self-disclosure is required.

VII. Whistleblower Provisions and Protections

CCDA is committed to ensuring that any person reporting Corporate Compliance concerns will not be retaliated against; this includes threats, intimidation, or loss of employment. Any employee who believes this standard to be violated may report his or her concern to the CCO and a full investigation will occur. If reasonable grounds exist to support the claim, a corrective action plan will be developed which may include disciplinary action against any persons involved in any retaliatory action.

VIII. Enforcement of Compliance Standards

Failure to comply with the Corporate Compliance Plan, with applicable Federal and State laws and regulations, contracts and ethical standards governing CCDA's programs, and/or with CCDA's standards and procedures may result in disciplinary action as outlined in the CCDA Employee Handbook. Enforcement and discipline, under the authority of appropriate management staff and the system-wide Human Resource Department, will occur as warranted and may include but not be limited to:

- Discipline of individuals who fail to report known non-compliant conduct;
- Discipline of those persons involved in non-compliant conduct;
- Discipline of managers or supervisors if the misconduct reflected poor supervision or lack of diligence;

The degree of discipline may range from counseling and retraining up to and including termination of employment based on the situation.

Code of Conduct

The Code of Conduct aims at assisting individuals at all levels of the organization in demonstrating professional and ethical conduct that is grounded in the CCDA mission. The Code of Conduct is included in the required training for staff and Board members including the BOT and a copy is provided in writing to each employee and Board member. The Code of Conduct has been approved by the Board of Trustees of CCDA.

Sanction Screening

Existing and new employees, new and existing members of the Board of Trustees, the local Agency Board of Directors, Medical Doctors authorizing residential services and vendors will be screened to verify that they have not been sanctioned from participating in the Medicaid or Medicare program. The databases of the following entities will be screened to determine exclusion.

- U.S. Department of Health and Human Services
Office of Inspector General
- U.S. General Services Administration (GSA)
- NYS Office of Medicaid Inspector General

In cases that an employee or vendor is not funded through Medicaid, or members of the local Agency Board of Directors do not serve on the Board of Directors of an agency receiving Medicaid funding, it is within the discretion of CCDA to determine whether or not an employee, vendor or member of the local Agency Board of Directors with an above-referenced conviction or finding on the debarment check will begin or continue employment, a contractual relationship or a term on the Board of Directors.

The Corporate Compliance Officer (CCO) will be responsible for monitoring compliance.

Government Investigations and Reviews

CCDA, as part of its commitment to full compliance with state and federal laws, will cooperate with all reasonable requests made by any government agency during the course of a review or investigation. CCDA also recognizes that staff and clients may be asked to participate in such reviews or investigations. CCDA will provide appropriate support to staff and clients who may be asked to participate in investigations or reviews.

Closing Statement of Commitment

CCDA, in accordance with its mission, is an organization committed to providing the highest quality of service. Based on our values and principles, CCDA works diligently to be in compliance with the laws, codes, rules and regulations of state and federal entities which guide the delivery of our services. In addition to compliance with applicable program requirements, we are committed to an organizational culture that supports education and training, continuous quality improvement, ethical conduct and decision making, and a culture of transparency.

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**ACKNOWLEDGEMENT OF RECEIPT OF
CATHOLIC CHARITIES CORPORATE COMPLIANCE PLAN**

As an employee or member of Catholic Charities of the Diocese of Albany, my signature below is acknowledgement that I have received and read the Catholic Charities Corporate Compliance Plan and I agree to abide by the standards, procedures and provisions described therein.

Name (Please Print): _____

Signature: _____

Date: _____